

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 2:23-00142

KEITH DESHON ADAMS

MEMORANDUM OPINION AND ORDER

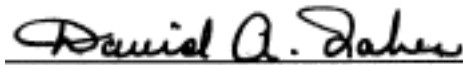
Trial of this matter is currently scheduled to begin on May 7, 2024. A motion to suppress was filed on February 22, 2024. A hearing on the motion was held on April 11, 2024. At the conclusion of the hearing, the court took the matter under advisement and counsel asked to submit additional written materials in support of their positions. The court allowed additional briefing and defendant's post-hearing submission was filed on April 23, 2024. The government's filing is due today. Therefore, there is less than a week between the matter becoming ripe for disposition and the trial. Therefore, the trial of this matter is **CONTINUED** to **May, 21, 2024**, at 9:30 a.m., in Charleston. This continuance will allow the court sufficient time to consider the parties' additional briefing before trial. This additional time is excludable for purposes of the Speedy

Trial Act ("STA"). See United States v. Parker, 30 F.3d 542, 546 (4th Cir. 1994).¹

The Clerk is directed to send a copy of this Memorandum Opinion and Order to counsel of record, to the United States Marshal for the Southern District of West Virginia, and to the Probation Office of this court.

IT IS SO ORDERED this 30th day of April, 2024.

ENTER:

A handwritten signature in black ink, reading "David A. Faber", is written over a horizontal line.

David A. Faber
Senior United States District Judge

¹ In Parker, the court noted that delay from the day a motion is filed through the day the district court holds a hearing on the motion is excluded. See id. And, if the court does not dispose of the motion during the hearing, the STA permits the exclusion of an additional period, not to exceed thirty days, during which the court holds the motion under advisement and continuing through the day the order ruling on the motion is entered. See id. The thirty-day advisement period does not begin until the court has "received any post-hearing submissions from the parties that it needs for proper disposition of the motion[.]" Id.